



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,496	10/01/2003	Akiko Onishi	00862.023332.	4228
5514 7590 11/27/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER HUNTSINGER, PETER K	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 11/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/674,496	<b>Applicant(s)</b> ONISHI, AKIKO	
	<b>Examiner</b> Peter K. Huntsinger	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13 and 14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 13 and 14 are directed to a computer program product. For claims 13 and 14 to be statutory, the applicant must state "A computer readable medium storing a computer program" (or equivalent), not a program comprising a computer readable medium.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6, 7, and 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki '013.

Referring to **claim 1**, Suzuki '013 discloses a printing control method of converting data into print data which a printing apparatus can process, said printing control method comprising:

a setting step of setting an overall setting to be applied to the entire print data (job description file 14 of Fig. 1, col. 5, lines 7-13, constrains print attributes associated with the whole print job) and a partial setting to be applied to a designated page in generating the print data (print data 16 of Fig. 1, col. 5, lines 7-13, associated with print attribute of each page); and

a conversion step of converting the data into the print data in accordance with the overall setting and the partial setting while preferentially applying the partial setting set by said setting step (col. 23, lines 38-44, page data has priority over job data).

Referring to **claim 2**, Suzuki '013 discloses wherein said setting step has a page designation step of designating a page to which the partial setting is applied (print data 16 of Fig. 1, col. 5, lines 7-13, associated with print attribute of each page) and, in said conversion step, the overall setting is applied to items other than items to which the partial setting is applied (job description file 14 of Fig. 1, col. 5, lines 7-13, constrains print attributes associated with the whole print job).

Referring to **claim 6**, Suzuki '013 discloses a printing control method of converting inputted drawing data into a print data which a printing apparatus can print and transferring the print data to the printing apparatus, said printing control method comprising:

a first determination step of determining an overall setting which is a print setting to be applied to the entire drawing data (job description file 14 of Fig. 1, col. 5, lines 7-13, constrains print attributes associated with the whole print job);

a step of recording the overall setting determined in said first determination step in a setting table for managing settings (content management table 92 of Fig. 13, col. 8-9, lines 58-67, 1-8);

a second determination step of determining a partial setting which is a setting to be applied only to a part of pages in the case in which the drawing data extends over a plurality of pages (print data 16 of Fig. 1, col. 5, lines 7-13, associated with print attribute of each page);

a step of recording the partial setting determined in said second determination step in the setting table (content management table 92 of Fig. 13, col. 8-9, lines 58-67, 1-8); and

a step of determining a setting to be used for each page of interest from the setting table and generating print data based upon the determined setting (col. 8, lines 50-57, job control module 94 performs print control while referencing the content management table 92).

Referring to **claim 7**, see the rejection of claim 1 above.

Referring to **claim 11**, Suzuki '013 discloses a printing system comprising:

a printing control apparatus for converting drawing data into a print data which a printing apparatus can process, comprising:

a setting unit which sets an overall setting to be applied to the entire print data (job description file 14 of Fig. 1, col. 5, lines 7-13, constrains print attributes associated with the whole print job) and a partial setting to be applied to a designated page in generating the print data (print data 16 of Fig. 1, col. 5, lines 7-13, associated with print attribute of each page); and

a converter which converts the data into the print data in accordance with the overall setting and the partial setting while preferentially applying the partial setting set by said setting unit (col. 23, lines 38-44, page data has priority over job data); and

a printer which is connected to said printing control apparatus and performs print processing in accordance with the print data (printer 104 of Fig. 12, col. 5, lines 21-25).

Referring to **claim 12**, Suzuki '013 discloses a printing control system comprising:

A printing control apparatus for converting inputted drawing data into a print data which a printing apparatus can print and sending the print data to the printing apparatus, comprising:

a first determination unit which determines an overall setting which is a print setting to be applied to the entire drawing data (job description file 14 of Fig. 1, col. 5, lines 7-13, constrains print attributes associated with the whole print job);

a first recorder which records the overall setting determined in said first determination unit in a setting table for managing settings (content management table 92 of Fig. 13, col. 8-9, lines 58-67, 1-8);

a second determination unit which determines a partial setting which is a setting to be applied only to a part of pages in the case in which the drawing data extends over a plurality of pages (print data 16 of Fig. 1, col. 5, lines 7-13, associated with print attribute of each page);

a second recorder which records the partial setting determined in said second determination step in the setting table (content management table 92 of Fig. 13, col. 8-9, lines 58-67, 1-8); and

a generator which determines a setting to be used for each page of interest from the setting table and generating print data based upon the determined setting (col. 8, lines 50-57, job control module 94 performs print control while referencing the content management table 92);

a printing control apparatus for converting inputted drawing data into a print data which a printing apparatus can print and transferring the print data to the printing apparatus (col. 9, lines 33-45, image data of each page is processed for print job); and

a printer which is connected to said printing control apparatus and performs print processing in accordance with the print data (printer 104 of Fig. 12, col. 5, lines 21-25).

Referring to **claim 13**, see the rejection of claim 1 above.

Referring to **claim 14**, see the rejection of claim 6 above.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-5, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki '013 as applied to claims 1 and 7 above, and further in view of well known prior art.

Referring to **claim 3**, Suzuki '013 discloses converting data into print data in accordance with the overall setting and the partial setting while preferentially applying the partial setting (col. 23, lines 38-44, page data has priority over job data).

Suzuki '013 does not disclose expressly converting metadata into print data.

Official Notice is taken that it is well known and obvious in the art to convert metadata into print data. The motivation for doing so would have been to utilize printing a particular data format that is desired by the user. Therefore, it would have been obvious to combine Suzuki '013 and well known prior art to obtain the invention as specified in claim 3.

Referring to **claim 4**, Suzuki '013 discloses converting data into print data in accordance with the overall setting and the partial setting while preferentially applying the partial setting (col. 23, lines 38-44, page data has priority over job data).

Suzuki '013 does not disclose expressly converting bitmap data into print data.

Official Notice is taken that it is well known and obvious in the art to convert bitmap data into print data. The motivation for doing so would have been to utilize printing a particular data format that is desired by the user. Therefore, it would have



been obvious to combine Suzuki '013 and well known prior art to obtain the invention as specified in claim 4.

Referring to **claim 5**, Suzuki '013 discloses print data but does not disclose expressly the print data is bitmap data.

Official Notice is taken that it is well known and obvious in the art to print bitmap data. The motivation for doing so would have been to utilize printing a particular data format that is desired by the user. Therefore, it would have been obvious to combine Suzuki '013 and well known prior art to obtain the invention as specified in claim 5.

Referring to **claim 8**, see the rejection of claim 3 above.

Referring to **claim 9**, see the rejection of claim 4 above.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dennison '157

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

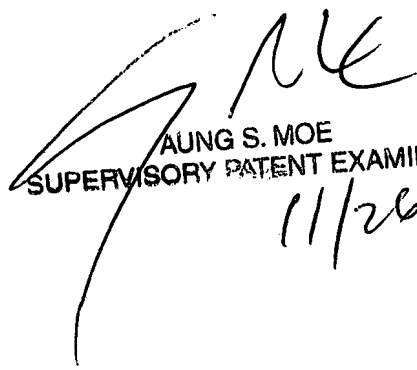
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moe Aung can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:  
10/674,496  
Art Unit: 2625

Page 9

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PKH



AUNG S. MOE  
SUPERVISORY PATENT EXAMINER

11/26/07